

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR WEDNESDAY, MAY 03, 2023

1:00 P.M. SESSION

E LY CL PR CE

BENCH POSITION: PRITZKER, J., LYNCH, J., EGAN JR., J.P., CLARK, J., CERESIA, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(7)	535029	<b>MATTER OF REUSS v SCHROEDER</b> <i>Petitioner</i> - Andrew I. Kossover, Esq. <i>Respondent</i> - Jonathan D. Hitsous, Esq. Office of the New York State Attorney General (Mark J.F. Schroeder)	SUB 10
(1)	532245 533970	<b>MATTER OF ENP ASSOC. v CITY OF ITHACA ZONING BD. OF APPEALS</b> <i>Appellant</i> - Mark A. Schlechter, Esq. Schlather, Stumbar, Parks & Salk, LLP (ENP Associates, LP) <i>Respondent</i> - Robert A. Sarachan, Esq. <i>Respondent</i> - John A. Mancuso, Esq. Weaver Mancuso Brightman PLLC (Lux Ithaca Holdings, LLC)	10  SUB 5
➤ (2)	112665 113346	<b>PEOPLE v DANIEL A. NELLIS SR.</b> <i>Appellant</i> - Steven M. Sharp, Esq. (Daniel A. Nellis Sr.) <i>Respondent</i> - Amanda M. Nellis, Esq.	10  SUB
➤ (3)	535168	<b>DEUTSCHE BANK NATL. TRUST CO. v QUINN</b> <i>Appellant</i> - Dana Briganti, Esq. Hinshaw & Culbertson LLP (Deutsche Bank National Trust Company) <i>Respondent</i> - Debra J. Willsey, Esq. The Legal Project (Thomas E. Quinn)	10  10

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Calendar No.	Case No.	Title	Time Allocated
(4)	535254	<b>VILLAGE OF MALONE v STONE MOUNTAIN PRIME</b> <b>Appellant - Margaret E. McGannon, Esq.</b> Stafford, Owens, Murnane, Kelleher, Miller, Meyer & Zedick, PLLC (Stone Mountain Prime, LLC) <b>Respondent - Michael Crowe, Esq.</b> Fitzgerlad Morris Baker Firth, P.C. (Village of Malone)	10 10
(5)	534638	<b>MATTER OF CONCOURSE REHAB &amp; NURSING CTR. v ZUCKER</b> <b>Appellant - Cornelius D. Murray, Esq.</b> O'Connell & Aronowitz, P.C. (Concourse Rehabilitation & Nursing Center, Inc.) <b>Respondent - Kate H. Nepveu, Esq.</b> Office of the New York State Attorney General (Howard A. Zucker, et al.)	10 10
(6)	534771	<b>LEITE v STATE OF NEW YORK</b> <b>Appellant - Denise A. Rubin, Esq.</b> Rubin Law, PLLC (Pedro Alverto M. Leite, et al.) <b>Respondent - Frederick A. Brodie, Esq.</b> Office of the New York State Attorney General (State of New York)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(8)	535270	<b>HANDEL v CAREY</b> <i>Appellant</i> - Nicole P. Bini, Esq. Greenberg and Greenberg (Carolyn T. Handel) <i>Respondent</i> - Ethan R. Crofut, Esq. Law Offices of Santacrose, Frary, Tomko, Diaz-Ordaz & Whiting (Cynthia Kane) <i>Respondent</i> - Sara L. Salvi, Esq. Mead Hecht Conklin & Gallagher, LLP (Martin S. Carey, Esq.)	10  5  5
(9)	536053	<b>MATTER OF BENSON v SHERMAN</b>	SUB
(10)	534702	<b>MATTER OF NGUYEN v CVS RX SERVICES, INC.</b>	SUB
➤ (11)	535962	<b>MATTER OF CAGINO v NEW YORK STATE DIV. OF HUMAN RIGHTS</b>	SUB
(12)	534726	<b>MATTER OF SERRATA v SUFFOLK COUNTY POLICE DEPT.</b>	SUB
(13)	534443	<b>MATTER OF DUNLAP v JETBLUE</b>	SUB
(14)	534832	<b>MATTER OF PERNICE v HARLAN ELECTRIC CO.</b>	SUB
(15)	534964	<b>MATTER OF CONZALEZ v CHESTER U.F.S.D.</b>	SUB

➤ 112665/113346 - PEOPLE v DANIEL A NELLIS SR.  
Panel: LY CL PR CE

➤ 535168 - DEUTSCHE BANK NATL. TRUST CO. v QUINN  
Panel: E LY CL PR

➤ 535962 - MATTER OF CAGINO v NEW YORK STATE DIV. OF HUMAN RIGHTS  
Panel: E CL PR CE